

14 NOV 2005

FORM PTO-1083

Docket No.: 710.1023
Date: November 10, 2005

Mail Stop: PCT
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

In re application of: **Franz FRAUENHOFFER, et al.**
 Application No.: 10/534,688
 Filed: May 12, 2005 as national phase of International Patent Application Serial No.
 PCT/EP2003/010192, filed September 13, 2003
 For: **METHOD AND DEVICE FOR PRODUCING A PROCESSING TOOL**

Sir:

Transmitted herewith is a **Response to Notification of Missing Requirements** (1 page) in the above-identified application.

- Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- No fee for additional claims is required.
- A filing fee for additional claims calculated as shown below, is required:

(Col. 1)	(Col. 2)		SMALL ENTITY RATE	LARGE ENTITY RATE	OR
	REMAINING AFTER	HIGHEST PREVIOUSLY PAID FOR			
AMENDMENT	PAID FOR	EXTRA			
TOTAL CLAIMS	* Minus 20	= 0	x \$ 25	x \$ 50	
INDEP. CLAIMS	* Minus 3	= 0	x \$100	x \$200	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$180	+ \$360	
			TOTAL: \$	TOTAL: \$	OR

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- Also transmitted herewith are:
 - Petition for extension under 37 C.F.R. 1.136
 - Other: **Copy of signed Declaration / PoA (2 pages); Copy of Notification of Missing Requirements (2 pages); Supplemental IDS with form PTO-1449 (3 pages) and copies of cited reference with translation**
- Check(s) in the amount of \$130.00 is/are attached to cover:
 - Filing fee for additional claims under 37 C.F.R. 1.16
 - Petition fee for extension under 37 C.F.R. 1.136
 - Other: **Declaration surcharge under 37 C.F.R. §1.16(f)**
- The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
 - Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - Any patent application processing fees under 37 C.F.R. 1.17.
 - Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.



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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 10, 2005.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:



Oliver Platz

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: **Franz FRAUENHOFFER, et al.**

Serial No.: 10/534,688

Filed: May 12, 2005 as national phase of International Patent
Application Serial No. PCT/EP2003/010192, filed September 13,
2003

For: DEVICE AND METHOD FOR PRODUCING A PROCESSING
TOOL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2005

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements, dated November 1, 2005, a copy of which is enclosed, please find a copy of an executed Declaration/Power of Attorney form signed by the inventor, and a check in the amount of \$130.00 covering the filing surcharge.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

11/18/2005 MKAYPAGH 00000056 10534688

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130.00 OP

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By _____


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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,688	Franz Frauenhoffer	710.1023

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 MAY 03 2005
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INTERNATIONAL APPLICATION NO.

PCT/EP03/10192

I.A. FILING DATE

09/13/2003

PRIORITY DATE

11/15/2002

CONFIRMATION NO. 7431
 371 FORMALITIES LETTER



OC000000017362956

Date Mailed: 11/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/12/2005
- Copy of the International Search Report filed on 05/12/2005
- Preliminary Amendments filed on 05/12/2005
- Information Disclosure Statements filed on 05/12/2005
- Oath or Declaration filed on 05/12/2005
- U.S. Basic National Fees filed on 05/12/2005
- Priority Documents filed on 05/12/2005

IPM 11/8/05

W/6/01/05 Missing Parts

(Deadline)

W/11/05 Missing Parts

(Due Date)

W/12/1/05 Reminder

CSK/WCA/1/05

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,688	PCT/EP03/10192	710.1023

FORM PCT/DO/EO/905 (371 Formalities Notice)